

Notice of Allowability

Application No.

09/811,146

Examiner

Brian M. Healy

Applicant(s)

SORIN, WAYNE V.

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 7/28/2003.
2. ☒ The allowed claim(s) is/are 1-65.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/022,413.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

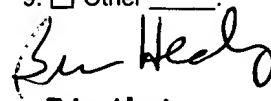
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 02062004.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Brian Healy
Primary Examiner

Brian M. Healy
Primary Examiner
Art Unit: 2874

DETAILED ACTION

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: The closest prior art of record, i.e. Morasca et. al., U.S.P. No.5,850,491 teaches (Figs.1-9) a double stage acousto-optic device 3,2 having a polarization independent response comprising: a substrate of bi-refractive material upon which is placed a first and second stage of polarization conversion with an optical signal at a predetermined wavelength with the first and second stages having tunable coupler means 127,227. Morasca et. al. 491' does not teach or suggest the claimed invention recited in claims 1-65 including an optical apparatus comprising: a first filter stage including a first tunable coupling member, a first differential delay with first and second tunable delay paths; and wherein the first tunable coupling member adjusts an amount of power of an optical signal divided onto the first and second tunable delay paths of the first differential delay. The second stage including; a second tunable coupling member; a second differential delay with first and second tunable delay paths; and wherein the second tunable coupling member adjusts an amount of power of the optical signal divided onto the first and second tunable delay paths of the second differential delay. The first and second tunable coupling members also includes first and second liquid crystal alignment members coupled to a voltage source. (See claims 1-65 for additional limitations listed in the dependent claims).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2874

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

EXAMINER'S COMMENT ON THE DRAWINGS

This application has been filed with obviously informal drawings. FORMAL DRAWINGS ARE NOW REQUIRED.

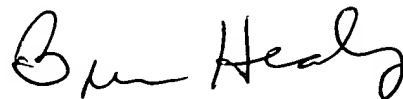
Any questions concerning this office action should be directed to:

Brian M. Healy

Primary Examiner

Art Unit: 2874

Phone: (571)272-2347

A handwritten signature in black ink, appearing to read "Brian Healy". The signature is stylized with a large, looped "B" and a cursive "Healy".

Brian Healy
Primary Examiner